

Notice of Allowability

Application No.

09/988,222

Examiner

Mr. Terry K. Cecil

Applicant(s)

SCHUYLER ET AL.

Art Unit

1723

TA

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the telephonic interview summary of 11-9-2004.
2. ☒ The allowed claim(s) is/are 4-7, 14, 16-17, 20-24, and 26-30 respectively renumbered upon allowance as claims 1-17.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 11/2004
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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Note: Claims 4-7, 14, 16-17, 20-24, and 26-30 are allowed and have been respectively renumbered upon allowance as claims 1-17.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with J. Belz on 11-9-2004.
2. The application has been amended as follows:
 - Claims 1, 3, 9-13, 15, and 18-19 have been canceled.
 - Claim 30 has been amended as follows:
 - 30. A The filter housing comprising a rigid basket member having a generally cylindrical side wall, and a filter cartridge as in claim 1 or 4 or 22 positioned in said basket member, wherein said length-adjustable end cap allows said filter cartridge to assume a length dimension substantially the same as said side wall of said basket member.
 - Specification, page 4, lines 10-12 have been amended as follows:
 - FIG. 3 is an enlarged cross-sectional view taken along line 8-8 3-3 in ~~FIG. 1~~ FIG. 2 which more specifically depicts the length-adjustable top end cap associated with the filter cartridge depicted in ~~FIG. 8~~ FIG. 2; and—
 - Specification, page 5, line 25, “114” has been replaced with —115—.

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- Specification, page 6, line 6, “14” has been replaced with —115— and “121” has been replaced with —100—.

Required Drawing Changes

3. The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

- Figure 4, will include reference no. “226” as described in page 8, line 24 of the specification.
- In Figures 1 and 2, reference no. “114” referring to the “annular seal ring” will be replaced with —115— since 114 was already used to refer to the filter media.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

- In view of Cella et al. (U.S. 6,099,729) applicant agreed to cancel claim 1 and the dependents thereof.
- As for claims 4 and 22 (and the dependents thereof), the closest cited art—Cella—fails to anticipate or render obvious, alone or in any proper combination, the series of radially extending buttresses joined to both the stationary ring member and the stationary annular base member—in combination will all the other limitations in each of claims 4 and 22.

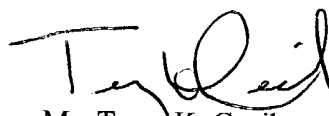
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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Contact Information:

- Examiner Mr. Terry K. Cecil can be reached at (571) 272-1138 at the Carlisle campus in Alexandria, Virginia for any inquiries concerning this communication or earlier communications from the examiner. Note that the examiner is on the increased flextime schedule but can normally be found in the office during the hours of 8:30a to 4:30p, on at least four days during the week M-F.
- Wanda Walker, the examiner's supervisor, can be reached at (571) 272-1151 if attempts to reach the examiner are unsuccessful.
- The Fax number for this art unit for official faxes is 703-872-9306.
- Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mr. Terry K. Cecil
Primary Examiner
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TKC
November 9, 2004